

JAP:DMP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

12 M 516

- - - - -X

UNITED STATES OF AMERICA

- against -

MOGEEB ABDU KARAH,
also known as
"Yaser Ahmed Mohammed Zelaat,"

Defendant.

AFFIDAVIT IN SUPPORT OF
REMOVAL TO THE EASTERN
DISTRICT OF NORTH CAROLINA

(Fed. R. Crim. P. 5(c))

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EASTERN DISTRICT OF NEW YORK, SS:

KYLER HARDIN, being duly sworn, deposes and says that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about April 24, 2012, an arrest warrant was issued by the United States District Court for the Eastern District of North Carolina, commanding the arrest of the defendant MOGEEB ABDU KARAH, also known as "Yaser Ahmed Mohammed Zelaat," for false statements, in violation of Title 18, United States Code, Section 1003(a)(3), naturalization, citizenship or alien registry fraud, in violation of Title 18, United States Code, Section 1015(a), and procurement of citizenship or naturalization unlawfully, in violation of Title 18, United States Code, Section 1425(a).

The source of your deponent's information and the grounds for his belief are as follows:

1. On or about April 24, 2012, a grand jury in the Eastern District of North Carolina returned a three-count indictment against defendant MOGEEB ABDU KARAH, also known as "Yaser Ahmed Mohammed Zelaat," for making false statements, in violation of Title 18, United States Code, Section 1003(a)(3), for committing fraud in connection with an application for naturalization, in violation of Title 18, United States Code, Section 1015(a), and for unlawfully procuring naturalization, in violation of Title 18, United States Code, Section 1425(a). A copy of the indictment is attached hereto.

2. On or about April 24, 2012, an arrest warrant was issued by the United States District Court for the Eastern District of North Carolina, commanding the arrest of the defendant MOGEEB ABDU KARAH, also known as "Yaser Ahmed Mohammed Zelaat," for false statements, in violation of Title 18, United States Code, Section 1003(a)(3), naturalization, citizenship or alien registry fraud, in violation of Title 18, United States Code, Section 1015(a), and procurement of citizenship or naturalization unlawfully, in violation of Title 18, United States Code, Section 1425(a). A copy of the arrest warrant is attached hereto.

3. On or about May 30, 2012, the defendant MOGEEB ABDU KARAH arrived at John F. Kennedy International Airport ("JFK Airport") on board Turkish Airways Flight No. 001 from Istanbul, Turkey. KARAH had traveled to Turkey from Sanaa, Republic of Yemen. Upon his arrival at JFK Airport, KARAH presented himself

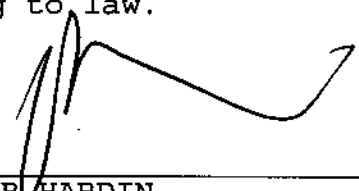
as a returning United States citizen by presenting a valid United States passport with passport number 462952415. I am informed that the Customs and Border Protection ("CBP") officer who was processing KARAH's entry into the United States noticed the existence of an active arrest warrant in the defendant's name. CBP detained the defendant.

4. On May 30, 2012, HSI agents executed the arrest warrant at JFK Airport. Prior to arresting the defendant, HSI agents confirmed that the name and date of birth on the passport that the defendant MOGEEB ABDU KARAH presented for admission to the United States matched the name and date of birth of the individual wanted on the North Carolina warrant. In addition, HSI agents viewed a photograph of the individual indicted in the Eastern District of North Carolina that was provided by an HSI case agent in Raleigh, North Carolina. The defendant MOGEEB ABDU KARAH appeared to be the same person as the one in the photograph provided by the case agent.

5. In addition, the defendant MOGEEB ABDU KARAH was in possession of a North Carolina driver's license at the time of his arrest. The address on his driver's license matched a North Carolina address contained within the alien file of the individual who was indicted in the Eastern District of North Carolina, which was supplied by the North Carolina case agent. The driver's license number of the license in KARAH's possession also matched the driver's license number on the "fugitive report" created by the North Carolina case agent.

6. It is the desire of the United States Attorney for the Eastern District of North Carolina that the defendant MOGEEB ABDU KARAH be removed to that district for prosecution.

WHEREFORE, it is requested that the defendant MOGEEB ABDU KARAH be removed to the Eastern District of North Carolina so that he may be dealt with according to law.



KYLER HARDIN
Special Agent, HSI

Sworn to before me this
31st day of May, 2012

THE
CHIEF
EAST

S/Gold

BOLD
STRATE JUDGE
WORK

AO 442 (Rev. 12/85) Warrant for Arrest

UNITED STATE DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

SEALED

UNITED STATES OF AMERICA

WARRANT FOR ARREST

VS.

CRIMINAL CASE: 5:12-CR-139-180(3)

MOGEEB ABDU KARAH
a/k/a "Yaser Ahmed Mohammed Zelaat"

To: The United States Marshal and any Authorized United States Officer. YOU ARE HEREBY COMMANDED to arrest

_____ and he/she shall be brought before the nearest Magistrate/Judge to answer an

X SEALED Indictment _____ Superseding Indictment _____ Criminal Information _____ Complaint

_____ Order of Court: _____ Violation Notice _____ Probation Violation Petition charging him/her with violation of _____ United States Code.
Section:

Count 1- False Statements - 18 U.S.C. § 1003(a)(3)

Count 2 - Naturalization, citizenship or alien registry fraud - 18 U.S.C. § 1015(a)

Count 3 - Procurement of citizenship or naturalization unlawfully - 18 U.S.C. § 1425(a)

Julie A. Richards
Name of Issuing Officer

Clerk of Court
Title of Issuing Officer


Signature of Issuing Officer by Deputy Clerk

April 24, 2012- RALEIGH, NORTH CAROLINA
Date and Location

Recommended Bond: DETENTION

RETURN		
This warrant was received and executed with the arrest of the above named defendant at		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	NAME AND TITLE OF ARRESTING OFFICER
DATE OF ARREST		

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:12-CR-139-180(3)

FILED
ON 4-24-2012 *rlk*
Julie A. Richards, Clerk
US District Court
Eastern District of NC

UNITED STATES OF AMERICA

v.

MOGEEB ABDU KARAH
a/k/a "Yaser Ahmed Mohammed Zelaat"

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The Grand Jury charges:

COUNT ONE

On or about May 12, 2009, in the Eastern District of North Carolina and elsewhere, the defendant, MOGEEB ABDU KARAH, also known as "Yaser Ahmed Mohammed Zelaat", did willfully and knowingly make and cause to be made, in a matter within the jurisdiction of United States Citizenship and Immigration Services, an agency within the Executive Branch of the Government of the United States, a false writing and document, knowing the same to contain a materially false statement, to wit: the defendant filed and caused to be filed Form N-400, Application for Naturalization, and certified under penalty of perjury that he had never given false or misleading information to any federal government official while applying for any immigration benefit or to prevent deportation, exclusion or removal, when in fact, as the defendant well knew, he had knowingly and unlawfully entered into a marriage with C.D. for the purpose of evading a provision of the immigration laws of the United States, he never shared the same address with C.D., and he

falsely stated in connection with Form I-751, Petition to Remove Conditions on Residence, that he resided with C.D. at Sunny People MHP, Lot #8, Norlina NC 27563.

All in violation of Title 18, United States Code, Section 1001(a)(3).

COUNT TWO

On or about May 28, 2009, in the Eastern District of North Carolina and elsewhere, the defendant, MOGEEB ABDU KARAH, also known as "Yaser Ahmed Mohammed Zelaat", did knowingly make a false statement under oath, in a case, proceeding, and matter relating to, and under, and by virtue of a law of the United States relating to naturalization and citizenship, to wit: the defendant stated in Form N-400, Application for Naturalization, that he had never given false and misleading information to any United States government official while applying for any immigration benefit, when in fact, as the defendant well knew, he knowingly entered into a fraudulent marriage with C.D. for the purpose of evading a provision of the immigration laws, he caused C.D. to be paid \$5,000 for marrying him, he never shared the same address with C.D., and he certified under penalty of perjury in Form I-751, Petition to Remove Conditions on Residence, that no fee was paid to anyone other than an attorney in connection with Form I-751, and that C.D. resided with the defendant at the same address.

All in violation of Title 18, United States Code, Section 1015(a).

COUNT THREE

On or about October 2, 2009, in the Eastern District of North Carolina and elsewhere, the defendant, MOGEEB ABDU KARAH, also known as "Yaser Ahmed Mohammed Zelaat", knowingly procured, contrary to law, naturalization as a United States citizen for himself, by making in connection with his naturalization application a false statement, to wit: the defendant certified under penalty of perjury in Form N-400, Application for Naturalization, that he had never given false and misleading information to a United States government official while applying for an immigration benefit, when in fact, as the defendant well knew, he had obtained permanent resident status on April 27, 2006, based on his fraudulent marriage to C.D. entered into for the purpose of evading a provision of the immigration laws.

All in violation of Title 18, United States Code, Section 1425(a).

A TRUE BILL

FOR PERSON

4/24/2012

DATE

THOMAS G. WALKER
United States Attorney

BY: SEBASTIAN KIELMANOVICH
Assistant United States Attorney

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

I certify the foregoing to be a true and correct copy of the original.
Julie A. Richards, Clerk
United States District Court
Eastern District of North Carolina

By 
Deputy Clerk